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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,) Case No. 23-CR-00269 JSW
Plaintiff,) UPDATED STATEMENT OF THE CASE
v.)
MORTEZA AMIRI and)
DEVON CHRISTOPHER WENGER,)
Defendants.)

The parties jointly submitted a Statement of the Case upon the parties' agreement on January 27. Dkt. 278. Pursuant to the Court's Order Regarding Statement of the Case (Dkt. 298), the government and Defendant Wenger met and conferred regarding his objection raised at today's Pretrial Conference to the portion highlighted below. Although the government maintains that the original agreed-upon Statement of the Case was appropriate, the government proposed the following updated proposal to address Defendant Wenger's concerns (proposed revisions marked in redline):

1 This is a criminal case brought by the United States government against
2 defendants Morteza Amiri and Devon Wenger. Defendants Amiri and Wenger are
3 charged with conspiring with each other and other law enforcement officers to violate the
4 civil rights of individuals, in or near Antioch, California, through the use of unreasonable
5 force. Defendants Amiri and Wenger are also charged with individual violations of civil
6 rights through their uses of unreasonable force. Defendant Amiri is also charged with
7 falsification of records. During the relevant time period, Defendants Amiri and Wenger
8 were police officers with the Antioch Police Department.

9 Specifically, the government alleges that, between at least 2019 and 2022,
10 Defendants Amiri and Wenger took part in a conspiracy with Eric Rombough and other
11 law enforcement officers to use unreasonable force against individuals in or near
12 Antioch, California. The government alleges that, as part of the conspiracy, the
13 defendants agreed with each other to use unreasonable force; communicated about their
14 deployments of unreasonable force and touted them to each other; ~~authored false or~~
15 ~~misleading police reports to conceal~~ ed their the uses of unreasonable force; and
16 encouraged each other to use unreasonable force, including as punishment; among other
17 things. The government also alleges that Defendant Amiri used unreasonable force on
18 A.A. on or about July 24, 2019; on R.S. on or about December 19, 2019; on D.R. on or
19 about August 23, 2020; and on M.Z. on or about October 8, 2020, and that Defendant
20 Wenger used unreasonable force on D.S. on or about October 26, 2021. The government
21 further alleges that Defendant Amiri obstructed justice by falsifying a police report
22 regarding the arrest of A.A., on or about July 24, 2019.

23 These are only allegations. Defendants Amiri and Wenger have denied the
24 charges and pleaded not guilty. Defendants Amiri and Wenger are presumed innocent of
25 all charges. The United States government must prove each charge against Defendants
26 Amiri and Wenger beyond a reasonable doubt.

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1 Defendant Wenger did not agree to the government's updated proposal. The government
2 believes its updated statement of the case would address Defendant Wenger's objections while
3 describing the allegations contained in the Indictment, and respectfully submits that the Court either
4 maintain the original Statement of the Case or adopt the government's updated proposal.
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6 DATED: February 10, 2025

Respectfully submitted,

7 ISMAIL J. RAMSEY
8 United States Attorney

9 _____
/s/
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